

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVE WAYNE MONTGOMERY,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

NO. CV-07-090-CI

**JUDGMENT IN A
CIVIL CASE**

DECISION BY THE COURT:

This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that:

Plaintiff's Motion for Summary Judgment is **GRANTED**. This matter is remanded to the Commissioner for additional proceedings consistent with the Court's decision and sentence four of 42 U.S.C. §405(g) . Defendant's Motion for Summary Judgment is **DENIED** and Judgment is entered for Plaintiff.

DATED this 23rd day of October, 2007.

JAMES R. LARSEN
District Court Executive/Clerk

s/ L. Stejskal
Deputy Clerk